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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRIDGETTE REBECCA SYKES,

Plaintiff,

v.

ANDREW SAUL,
COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

No. 1:20-CV-00268-SKO

**POST HOC STIPULATION AND ORDER
EXTENDING BRIEFING SCHEDULE
(SOCIAL SECURITY DISABILITY
APPEAL)**

(Doc. 12)

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, that Plaintiff shall have a first-time *post hoc* extension to serve her Confidential Letter Brief. Plaintiff's counsel makes this request due to erroneously anticipating an Order lifting the stay

1 imposed on this action following the lodging of the Certified Administrative Record on July 28,
2 2020. (ECF Doc. 9 and 10) Counsel erroneously made the assumption that such an Order would
3 be issued given the issuance of such Orders by other Courts. Upon further review of General
4 Order No. 615, no such Order lifting the stay is required. Plaintiff's counsel apologizes for the
5 error and assures the Court that the delay caused was not intentional. Plaintiff's counsel promptly
6 filed the instant request upon discovering the error. Plaintiff's Confidential Letter Brief will be
7 filed no later than fourteen (14) days from the date of filing of the instant extension request, on or
8 before November 3, 2020. All corresponding briefing deadlines are modified accordingly.

9 Respectfully submitted,

10 Dated: October 19, 2020

NEWEL LAW

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12 By: Melissa Newel
13 Melissa Newel
14 Attorney for Plaintiff
BRIDGETTE REBECCA SYKES

15 Dated: October 19, 2020

MCGREGOR W. SCOTT
United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration

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19 By: In Seon Jeong*
20 IN SEON JEONG
21 (Authorized by email dated 10/19/2020)
22 Special Assistant U.S. Attorney
23 Attorneys for Defendant
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ORDER

On October 19, 2020, the parties filed the above stipulation (Doc. 12), 53 days after Plaintiff's confidential letter brief was to be served.

The Court may extend time to act after the deadline has expired because of "excusable neglect." Fed. R. Civ. P. 6(b)(1)(B). Here, the stipulation demonstrates both good cause (*see* Fed. R. Civ. P. 16(b)(4)) and excusable neglect to support the request for extension of time. Accordingly, the Court GRANTS the parties' stipulated request. **The parties are cautioned, however, that future post hoc requests for extensions of time will be viewed with disfavor.**

IT IS HEREBY ORDERED that Plaintiff is granted an extension of time to November 3, 2020, to serve her Confidential Letter Brief. All other deadlines set forth in the Scheduling Order (Doc. 5-1) are modified accordingly.

IT IS SO ORDERED.

Dated: October 21, 2020

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE